EXHIBIT B

1   HIGHLY CONFIDENTIAL PURSUANT TO PO
2   UNITED STATES DISTRICT COURT
            NORTHERN DISTRICT OF CALIFORNIA
3   SAN FRANCISCO DIVISION
              CASE NO. 3:23-cv-03417-VC
4

     RICHARD KADREY, et al.,   :
5   Individual and Representative :
         Plaintiff,   :
6   :
                       v.   :
7   :
     META PLATFORMS, INC., a Delaware :
8   Corporation,   :
         Defendant.   :
9   ------------------------------- x
10
11   VIDEOTAPE DEPOSITION OF:
12   TA-NESHI COATES
13   NEW YORK, NEW YORK
14   THURSDAY, NOVEMBER 21, 2024
15
16
17
18
19
20
21
22
23
24   REPORTED BY:
     SILVIA P. WAGE, CCR, CRR, RPR
25   JOB NO. 6985779

                                          Page 1

HIGHLY CONFIDENTIAL

1	HIGHLY CONFIDENTIAL PURSUANT TO PO	
2	A. Not that I recall.	10:17:10
3	Q. Have you personally created	10:17:11
4	or witness someone create output from	10:17:14
5	ChatGPT that replicates your books?	10:17:17
6	A. Not that I recall.	10:17:21
7	Q. Have you personally created	10:17:22
8	or witnessed someone create output from	10:17:26
9	Meta's AI model that regurgitates portions	10:17:29
10	of your books?	10:17:35
11	A. Not that I recall.	10:17:38
12	Q. Same question regarding	10:17:39
13	ChatGPT.	10:17:41
14	A. Not that I recall.	10:17:41
15	Q. When AI first came out -- and	10:17:45
16	if you take yourself back to late 2022	10:17:47
17	and 2023, were you concerned that AI	10:17:51
18	could displace you or others like you,	10:17:56
19	others who write?	10:18:04
20	MR. RATHUR: Objection to	10:18:07
21	form.	10:18:08
22	You can answer.	10:18:08
23	A. No, not that I recall. There	10:18:10
24	was -- I know that there was a great deal	10:18:13
25	of concern among writers. I know that	10:18:15

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HIGHLY CONFIDENTIAL

1   HIGHLY CONFIDENTIAL PURSUANT TO PO

2   was a complaint.   10:18:17

3   But I didn't -- and I have,   10:18:18

4   generally, not thought that -- I don't   10:18:21

5   want to sound rude, but that it was   10:18:22

6   capable of doing what I do.   10:18:24

7   Q.   That was never a concern of   10:18:26

8   yours?   10:18:28

9   A.   No.   10:18:28

10   Q.   I took a detour with you. I   10:18:41

11   want to get back to some questions about   10:18:44

12   the Complaint.   10:18:47

13   But before I do, we were talking   10:18:48

14   about your understanding of your claims   10:18:51

15   against Meta. We were talking about how   10:18:55

16   you learned about Meta's use of a data   10:18:57

17   set. We talked about the use -- what   10:19:02

18   that data set looks like.   10:19:04

19   Have you gone online to see whether   10:19:08

20   your books are available for free to be   10:19:13

21   read online?   10:19:18

22   A.   In any capacity?   10:19:19

23   Q.   Yes.   10:19:20

24   A.   No, I don't think I have.   10:19:21

25   Q.   Do you have somebody who works   10:19:23

Page 54

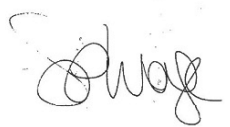|		
1	HIGHLY CONFIDENTIAL PURSUANT TO PO	
2	occurs, English words that are in a	12:42:46
3	compilation of books are transformed into	12:42:49
4	another set of English words?	12:42:52
5	A. At some point, yes. In	12:42:54
6	output, I would imagine, for instance.	12:42:57
7	Q. How about in the learning, do	12:42:58
8	you have any understanding one way or the	12:43:00
9	other?	12:43:02
10	A. I don't know.	12:43:02
11	Q. Are you aware whether Meta's	12:43:12
12	LLaMA models mimic your writing style?	12:43:16
13	A. "Mimic my writing style"? I	12:43:21
14	don't know. I imagine they're capable of	12:43:24
15	doing it, but I don't know.	12:43:26
16	Q. You don't allege in this	12:43:29
17	lawsuit that Meta's LLaMA's models are	12:43:30
18	capable of mimicking your writing style,	12:43:33
19	are you?	12:43:37
20	A. I don't think so.	12:43:37
21	Q. I want to go back to something	12:43:40
22	that we talked about a little earlier,	12:43:42
23	Mr. Coates.	12:43:45
24	The company BCP Literary, we know	12:43:45
25	that two of the three books at issue in	12:43:48

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1   HIGHLY CONFIDENTIAL PURSUANT TO PO
2   CERTIFICATE OF REPORTER
3   I, SILVIA P. WAGE, CSR, CRR, RPR,
    herby certify that the witness in the
4   foregoing deposition was by me duly sworn
    to tell the whole truth, nothing but the
5   truth; said deposition was taken down in
    shorthand by me, a disinterested person,
6   at the time and place therein stated. The
    testimony of said witness was thereafter
7   reduced to typewriting by computer under
    my direction and supervision. Before
8   completion of the deposition, review of
    the transcript [X] was [ ] was not
9   requested. If requested, any changes
    made by the deponent (and provided to
10   the reporter) during the period allowed
    are appended hereto.
11
         I further certify that I am not of
12   counsel or attorney for either or any
    of the parties to the said deposition,
13   nor in any way interested in the event
    of this cause, and that I am not
14   related to any of the parties thereto.
15
16
17
18
19
20   SIGNED: [signature]
21   dated: December 5, 2024
22
23
24
25

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 1              UNITED STATES DISTRICT COURT

 2            NORTHERN DISTRICT OF CALIFORNIA

 3               SAN FRANCISCO DIVISION

 4

 5

 6   * * * * * * * * * * * * * * * * * * * * * * * * * * * *

 7   RICHARD KADREY, ET AL.,

 8               Individual and

                Representative Plaintiffs

 9

     vs.                    CA NO. 3:23-CV-03417-VC

10

     META PLATFORMS, INC., a

11   Delaware corporation,

12               Defendant

13   * * * * * * * * * * * * * * * * * * * * * * * * * * * *

14

15

16          VIDEOTAPED DEPOSITION OF:

17               JUNOT DIAZ

18               COOLEY LLP

19          500 Boylston Street

20          Boston, Massachusetts

21      November 20, 2024     9:06 a.m.

22

23

24      Darlene M. Coppola, RPR, RMR, CRR
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Page 1

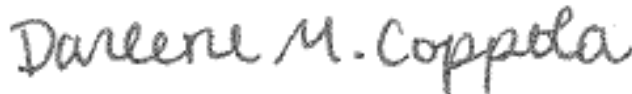|		
1	for speculation.	17:05:40
2	A. I don't know.	17:05:41
3	BY MR. GHAJAR:	17:05:41
4	Q. Are you aware of anybody who has	17:05:41
5	declined to buy your book because of a	17:05:43
6	generative AI tool such as LLAMA?	17:05:46
7	A. No.	17:05:48
8	MR. RATHUR: Objection. Calls	17:05:49
9	for speculation.	17:05:49
10	A. I don't know. I'm not aware of	17:05:49
11	anyone.	17:05:51
12	BY MR. GHAJAR:	17:05:52
13	Q. I'm asking for your awareness.	17:05:52
14	A. I'm not aware of it.	17:05:55
15	Q. Are you aware of anybody that has used	17:05:56
16	LLAMA, Meta's AI model, to generate a book	17:05:58
17	that is a substitute for "Drown"?	17:06:03
18	A. I'm not aware.	17:06:06
19	Q. Are you aware of anybody that has used	17:06:08
20	Meta's AI model LLAMA to generate a book that	17:06:10
21	is a substitute for "Oscar Wao"?	17:06:14
22	A. I'm not aware.	17:06:20
23	Q. Are you aware of any licensing	17:06:23
24	opportunity that you lost because of Meta's	17:06:26

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1

CERTIFICATION

2   I, DARLENE M. COPPOLA, a Notary Public, do hereby

3   certify that JUNOT DIAZ, after having satisfactorily

4   identifying himself, came before me on the 20th day of

5   November, 2024, in Boston, Massachusetts, and was by

6   me duly sworn to testify to the truth and nothing but

7   the truth as to his knowledge touching and concerning

8   the matters in controversy in this cause; that he was

9   thereupon examined upon his oath and said examination

10   reduced to writing by me; and that the statement is a

11   true record of the testimony given by the witness, to

12   the best of my knowledge and ability.

13   I further certify that I am not a relative or

14   employee of counsel/attorney for any of the parties,

15   nor a relative or employee of such parties, nor am I

16   financially interested in the outcome of the action.

17   WITNESS MY HAND THIS 5th day of December, 2024.

18

19

Darlene M. Coppola

20

21   DARLENE M. COPPOLA   My commission expires:

22   NOTARY PUBLIC   November 2, 2029

23   REGISTERED MERIT REPORTER

24   CERTIFIED REALTIME REPORTER

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1   UNITED STATES DISTRICT COURT

2   FOR THE NORTHERN DISTRICT OF CALIFORNIA

3   ---oOo---

4

5   RICHARD KADREY, ET AL.,

6   Individual and Representative

   Plaintiffs,

7

      vs.   CASE NO. 3:23-CV-03417-VC

8

   META PLATFORMS, INC., A

9   DELAWARE CORPORATION;

10   Defendants.

_____

11

12   ***HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY***

13

14   VIDEO-RECORDED DEPOSITION OF CHRISTOPHER FARNSWORTH

15   Santa Monica, California

16   Wednesday, December 4, 2024

17

18

19

20

21

22

23   Stenographically Reported by: Ashley Soevyn,

   CALIFORNIA CSR No. 12019

24   Job No. 7051779

25   Pages 1 - 394

                                              Page 1

1   MR. HUTCHINSON: Objection as to form.   12:43:14

2   Calls for a legal conclusion.

3   THE WITNESS: Among other things, it

4   would be the lost opportunity to license or use the

5   work for the ancillary purposes. The ancillary   12:43:20

6   rights that have been taken and used already by

7   Meta, but also the -- it would be the lost

8   opportunity of anyone who uses the LLM to create

9   substantially similar works of mine.

10   BY MR. GHAJAR: 12:43:46

11   Q   Let's break that down.

12   Are you aware of anybody using any LLM to

13   create a work that is substantially similar to one

14   of your books?

15   A   No, not at this time.   12:43:56

16   Q   Then that's not part of the claims in the

17   lawsuit, is it?

18   A   No.

19   MR. HUTCHINSON: Objection as to form.

20   Calls for a legal conclusion.   12:44:01

21   BY MR. GHAJAR:

22   Q   And you talked about lost opportunity.

23   Meaning the lost opportunity to license the work for

24   ancillary purposes. Now ancillary purposes in the

25   context of this answer means license a book for AI   12:44:14

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1   REPORTER'S CERTIFICATE

2   I, ASHLEY SOEVYN, a Certified Shorthand

3   Reporter of the State of California, do hereby

4   certify:

5   That the foregoing proceedings were taken

6   before me at the time and place herein set forth;

7   at which time the witness was put under oath by me;

8   That the testimony of the witness, the

9   questions propounded, and all objections and

10   statements made at the time of the examination were

11   recorded stenographically by me and were thereafter

12   transcribed;

13   That a review of the transcript by the

14   deponent was requested;

15   That the foregoing is a true and correct

16   transcript of my shorthand notes so taken.

17   I further certify that I am not a relative

18   or employee of any attorney of the parties, nor

19   financially interested in the action.

20   I declare under penalty of perjury under

21   the laws of California that the foregoing is true

22   and correct. Dated this 18th day of December, 2024.

23

24

      ASHLEY SOEVYN

25   CSR No. 12019

                                        Page 391

CONFIDENTIAL

```
 1           UNITED STATES DISTRICT COURT

 2          NORTHERN DISTRICT OF CALIFORNIA

 3              SAN FRANCISCO DIVISION

 4

 5     -------------------------------x

 6     RICHARD KADREY, et al.,

 7               Individual and

 8               Representative Plaintiffs,

 9        vs.                        Case No.

10     META PLATFORMS, INC., a       3:23-cv-03417-VC

11     Delaware corporation,

12               Defendant.

13     -------------------------------x

14

15          C O N F I D E N T I A L

16

17        VIDEOTAPED DEPOSITION OF

18          CHRISTOPHER GOLDEN

19          Boston, Massachusetts

20

21     Reported by:

22     MaryJo O'Connor, RDR, RMR

23     Job No:  6917590

24

25     PAGES 1 - 407
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Page 1

CONFIDENTIAL

1	A. I'm fairly certain it was ChatGPT,	02:25:16
2	but I don't know for sure.	02:25:18
3	Q. And, again, we talked about this	02:25:19
4	earlier, but can you think of any instances in	02:25:24
5	which you, or somebody you know, has been able	02:25:26
6	to use one of LLaMA's generative AI tools to	02:25:29
7	create a work that substantially mimics one of	02:25:35
8	your works?	02:25:37
9	A. No.	02:25:37
10	Q. Going back to May of 2023, was it	02:25:39
11	your understanding that the generative AI tools	02:25:43
12	could create output that acts as a substitute	02:25:47
13	for the original material?	02:25:51
14	MR. ZIRPOLI: Object to the form	02:25:52
15	of the question.	02:25:56
16	A. Could you read it again?	02:25:56
17	Q. Sure.	02:25:58
18	Back in May of 2023, the time that	02:25:59
19	you exchanged these e-mail with Ms. Schulz, was	02:26:03
20	it your understanding that the generative AI	02:26:06
21	tools could create output that acts as a	02:26:09
22	substitute for the original material?	02:26:12
23	MR. ZIRPOLI: Object to the form	02:26:15
24	of the question.	02:26:16
25	A. Yes.	02:26:16

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1   C E R T I F I C A T E

2

3   I, MaryJo O'Connor, a Notary Public

4   in and for the Commonwealth of

5   Massachusetts, do hereby certify:

6   That CHRISTOPHER GOLDEN, the

7   witness whose testimony is hereinbefore set

8   forth, was duly sworn by me and that such

9   testimony is a true and accurate record of

10   my stenotype notes taken in the foregoing

11   matter to the best of my knowledge, skill

12   and ability.

13   IN WITNESS WHEREOF, I have hereunto

14   set my hand and Notarial Seal this 30th day

15   of September 2024.

16

17

18   *MaryJo O'Connor*

19

20   MARYJO O'CONNOR, RDR/RMR

21   Notary Public

22

23

24   My Commission expires:

25   September 12, 2025

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 1              UNITED STATES DISTRICT COURT
 2             NORTHERN DISTRICT OF CALIFORNIA
 3                SAN FRANCISCO DIVISION
 4
 5    RICHARD KADREY, et al.,          )
                                       )
 6        Individual and               )
          Representative Plaintiffs,   )
 7                                     )
             vs.                       ) Case No.
 8                                     ) 3:23-cv-03417-VC
      META PLATFORMS, INC., a          )
 9    Delaware corporation,            )
                                       )
10           Defendant.                )
      _____ )
11
12      VIDEO-RECORDED DEPOSITION OF ANDREW SEAN GREER
13
                 Tuesday, September 24, 2024
14
                 San Francisco, California
15
16
17
18
19
20
21
22
23    Stenographically Reported By:
24    Hanna Kim, CLR, CSR No. 13083
25    Job No. 6928896
```

Page 1

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 1        A.   Most authors meet each other every four
 2    years or so at festivals when we have books.
 3        Q.   And have you talked to Curtis about
 4    generating works using AI?
 5        A.   No.                                      11:24:43
 6        Q.   You just read the article she wrote?
 7        A.   Yes.
 8        Q.   And you said that was in the New York
 9    Times?
10        A.   I think so.  I did say that, yes.       11:24:52
11        Q.   Are you aware of any AI generated books
12    that are written in your style?
13        A.   No.
14        Q.   Are you aware of any media that was
15    created using AI, whether a book or other medium,  11:25:12
16    that's in your voice or distinctive style?
17        A.   No.
18        Q.   So it's not the case that AI, having
19    trained on your books, has resulted in your
20    distinctive style and voice appearing in AI books  11:25:30
21    and media everywhere?
22             MR. CLOBES:  Objection to form.
23             THE WITNESS:  Not yet, but that's not what
24    we're talking about here.  We're talking about
25    training on my distinctive voice and style developed  11:25:41
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 1    over 30 years.
 2    BY MR. LAUTER:
 3         Q.   But specifically as to your distinctive
 4    voice and style appearing in AI books and media
 5    everywhere, that hasn't occurred?                    11:25:55
 6              MR. CLOBES:   Objection to form.
 7              THE WITNESS:   It has not occurred.   But
 8    this is not the legal complaint.
 9    BY MR. LAUTER:
10         Q.   I'm handing you a document to be marked as  11:26:17
11    Exhibit 182.
12              (Greer Deposition Exhibit 182 was marked
13              for identification.)
14    BY MR. LAUTER:
15         Q.   Have you seen this before?                  11:26:39
16         A.   Yes.
17         Q.   What is it?
18         A.   This is a post.   In fact, it's a capture
19    of a video, I think, from Instagram.
20         Q.   And do you recall, is the text in the post  11:26:49
21    what you spoke in the video?
22         A.   I don't recall.   It seems certain that it
23    is, yes.
24         Q.   And can you read that first sentence to
25    me.                                                   11:27:08
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Page 87

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 1              THE WITNESS:  Hmm.  I don't know.

 2    BY MR. LAUTER:

 3        Q.   Do you believe that anybody has decided

 4    not to buy one of the four books that you've

 5    asserted have been infringed by Meta and have          06:15:10

 6    instead used Llama to generate a book?

 7              MR. CLOBES:  Objection to form.

 8              THE WITNESS:  I don't know.

 9    BY MR. LAUTER:

10        Q.   Do you believe that anybody has used one     06:15:28

11    of Meta's large language models as a substitute for

12    reading one of the four books that you've alleged

13    are infringed in the Complaint?

14        A.   I don't know.

15              MR. CLOBES:  Objection.                       06:15:42

16    BY MR. LAUTER:

17        Q.   Do you have any basis to believe that

18    that's occurred?

19              MR. CLOBES:  Objection.

20              THE WITNESS:  No.                             06:15:46

21    BY MR. LAUTER:

22        Q.   Do you believe that you have lost any

23    licensing opportunities as a result of the conduct

24    that you've alleged in the Complaint in this case?

25        A.   I don't know.                                 06:16:03
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 1                    CERTIFICATE OF REPORTER
 2              I, Hanna Kim, a Certified Shorthand
 3    Reporter, do hereby certify:
 4              That prior to being examined, the witness
 5    in the foregoing proceedings was by me duly sworn to
 6    testify to the truth, the whole truth, and nothing
 7    but the truth;
 8              That said proceedings were taken before me
 9    at the time and place therein set forth and were
10    taken down by me in shorthand and thereafter
11    transcribed into typewriting under my direction and
12    supervision;
13              I further certify that I am neither
14    counsel for, nor related to, any party to said
15    proceedings, not in anywise interested in the
16    outcome thereof.
17              Further, that if the foregoing pertains to
18    the original transcript of a deposition in a federal
19    case, before completion of the proceedings, review
20    of the transcript [X] was [ ] was not requested.
21              In witness whereof, I have hereunto
22    subscribed my name.
23    Dated: 10/1/24

24

                        Hanna Kim

25                      CLR, CSR No. 13083


                                        Page 340
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 1        UNITED STATES DISTRICT COURT
          NORTHERN DISTRICT OF CALIFORNIA
 2        SAN FRANCISCO DIVISION
          Case No. 3:23-cv-03417-VC
 3        -----------------------------------x
          RICHARD KADREY, et al., Individual and
 4        Representative,
 5                              Plaintiffs,
 6                 - against -
 7        META PLATFORMS, INC., a Delaware
          corporation,
 8
 9                              Defendant.
          -----------------------------------x
10
                             September 16, 2024
11                           9:05 a.m.
12
13
14          VIDEOTAPED DEPOSITION  of DAVID HENRY
15     HWANG, held at the offices of COOLEY LLP,
16     located at 55 Hudson Yards, New York, New
17     York 10001, before Anthony Giarro, a
18     Registered Professional Reporter, a
19     Certified Realtime Reporter and a Notary
20     Public of the State of New York.
21
22
23
24
25
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Page 1

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 1          Q        But you haven't tried since

 2    before the pandemic?

 3          A        Correct.

 4          Q        So maybe there's an

 5    opportunity?

 6          A        Maybe.

 7          Q        I believe we covered this.

 8    But I'm going to do a little bit of

 9    closeout as we wrap up for the day.

10          A        Okay.

11          Q        Do you have any evidence

12    that anybody decided not to buy one of

13    your plays and instead used Meta's Gen AI

14    tools to generate a substitute play?

15                   MR. CLOBES:   Objection to

16       form.

17          A        I have no evidence to that

18    effect.

19          Q        Did you believe at the time

20    you joined the lawsuit that the OpenAI

21    ChatGPT tool and the Meta LLaMA tool was

22    capable of reproducing one of your plays?

23                   MR. CLOBES:   Objection to

24       form.

25          A        I did not believe it was
```

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1   C E R T I F I C A T I O N

2

3

4   I, ANTHONY GIARRO, a Shorthand

5   Reporter and a Notary Public, do hereby

6   certify that the foregoing witness, DAVID

7   HENRY HWANG, was duly sworn on the date

8   indicated, and that the foregoing, to the

9   best of my ability, is a true and accurate

10   transcription of my stenographic notes.

11   I further certify that I am not

12   employed by nor related to any party to

13   this action.

14

15

16

17   ANTHONY GIARRO

18

19

20

21

22

23

24

25

                                        Page 382

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 1              UNITED STATES DISTRICT COURT

 2            NORTHERN DISTRICT OF CALIFORNIA

 3               SAN FRANCISCO DIVISION

 4      -----------------------------:

 5      RICHARD KADREY, et al.,       :

 6          Individual and           :

 7        Representative Plaintiffs,:

 8            vs.                     : Case No.:

 9      META PLATFORMS, INC.,         : 3:23-cv-03417-VC

10      a Delaware corporation;       :

11                 Defendant.         :

12      -----------------------------:

13        VIDEOTAPED DEPOSITION OF MATTHEW C. KLAM

14        Cleary Gottlieb Steen & Hamilton, LLP

15             Tuesday, December 10, 2024

16                  9:40 a.m.

17

18      Reported by:

19      Robert M. Jakupciak, RPR

20      JOB No. SF-7030273

21

22      PAGES 1 - 381
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Page 1

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 1    the other stuff that is a benefit to me when I      10:30:08

 2    finally publish something.                          10:30:10

 3         Q.     Are you aware of any instance in        10:30:14

 4    which somebody has used a Meta AI model to          10:30:17

 5    generate work in your style as a substitute for     10:30:24

 6    reading or buying your work?                        10:30:31

 7         A.     Well, I just described to you what      10:30:35

 8    I thought to be a scenario that seems pretty         10:30:37

 9    likely to me.                                       10:30:40

10         Q.     Are you aware of any instance in        10:30:42

11    which that scenario has actually occurred?          10:30:44

12         A.     So I think what you are asking me       10:30:47

13    is has someone turned up either in my social        10:30:48

14    media or an email or in the marketplace saying      10:30:52

15    I have an AI story that's written by Matthew        10:30:56

16    Klam or written in the style of Matthew Klam        10:31:01

17    and it's just as good as Matthew Klam's and you     10:31:04

18    should buy this instead of buying Matt's work?      10:31:06

19    I think that's what you are saying, and no, I       10:31:09

20    haven't.                                            10:31:12

21             Although, I think that if people           10:31:12

22    created, you know, sort of bastardized versions     10:31:16
```

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```
1    of my work and tried to sell it, I might          10:31:21

2    eventually hear about it.                         10:31:23

3              I'm kind of small potatoes.  I'm a      10:31:24

4    literary writer who has had a very modest sort    10:31:27

5    of commercial career.  Although, I've won         10:31:30

6    prestigious awards and published in the best      10:31:33

7    magazines in the world and been a finalist for    10:31:35

8    a prestigious award or two and won fancy          10:31:38

9    scholarships at the Guggenheim, I don't have a    10:31:43

10   huge connection with the public the way Junot     10:31:46

11   or Ta-Nehisi or Jacki Woodson does.               10:31:50

12              So I'm not going to hear that stuff    10:31:55

13   probably.  You are talking to somebody who is a   10:31:56

14   much smaller fish.                                10:31:58

15      Q.    Okay.  So I just want to make sure       10:32:00

16   I have your answer.  You are not aware of any     10:32:03

17   instance in which somebody has foregone           10:32:07

18   purchasing your work because they could use an    10:32:13

19   AI model instead.  Is that a true statement?      10:32:16

20      A.    Yeah.                                    10:32:22

21      Q.    Okay.  You said your wife and            10:32:22

22   daughter have also played around with AI tools    10:32:25
```

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1	right?	17:30:32
2	A. That's right.	17:30:33
3	Q. Do you have any evidence that sales	17:31:17
4	of your books have declined as a result of any	17:31:21
5	conduct by Meta?	17:31:27
6	A. No.	17:31:29
7	Q. You assert that both OpenAI in	17:31:39
8	training ChatGPT and Meta in training its AI	17:31:46
9	models infringed the copyright in Sam the Cat	17:31:49
10	and Who is Rich; right?	17:31:54
11	A. Yes.	17:31:57
12	Q. Do you have any way of separating	17:32:02
13	out the harm you think you've suffered as a	17:32:06
14	result of OpenAI's conduct versus the harm you	17:32:11
15	think you've suffered as a result of Meta's	17:32:14
16	alleged conduct?	17:32:18
17	MR. RATHUR: Objection to form.	17:32:20
18	A. No.	17:32:24
19	Q. You are not aware of any instance	17:32:49
20	in which a person has read text generated by a	17:32:52
21	Meta AI model as a substitute for reading one	17:32:57
22	of your books; right?	17:33:04

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1   A.   I don't know of any.   17:33:08

2   Q.   You are not aware of any text   17:33:17

3   generated by any Meta AI model that reproduces   17:33:20

4   the text from your books; right?   17:33:27

5   A.   That's right.   17:33:31

6   Q.   And how many times do you believe   17:33:34

7   you used Meta AI?   17:33:44

8   A.   A dozen.   17:33:51

9   Q.   You recited some of the prompts you   17:33:57

10 entered, but maybe I'll just ask you to tell me   17:34:00

11 each of the prompts you remember now.   17:34:03

12   A.   I think I asked it to write a story   17:34:16

13 in the style of Alice Munro. And then I think   17:34:19

14 I asked it whether it, this work was   17:34:29

15 transformative or derivative and it said that   17:34:37

16 it was not transformative. And then I asked if   17:34:41

17 it could try again and it said no.   17:34:49

18   And then I think I asked it to   17:34:51

19 summarize my book three different times, and at   17:34:54

20 the end it was hallucinating and   17:34:59

21 misrepresenting my book.   17:35:03

22   And now, I'm sorry, it's late in   17:35:06

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```
 1              REPORTER'S CERTIFICATE

 2

 3              I, ROBERT M. JAKUPCIAK, an RPR and

 4     Notary Public within and for the District of

 5     Columbia do hereby certify:

 6              That the witness whose deposition is

 7     hereinbefore set forth, was duly sworn and that

 8     the within transcript is a true record of the

 9     testimony given by such witness.

10              I further certify that I am not

11     related to any of these parties to this action

12     by blood or marriage and that I am in no way

13     interested in the outcome of this matter.

14              IN WITNESS WHEREOF, I have hereunto

15     set my hand this 20th day of December, 2024.

16

17

18              ROBERT M. JAKUPCIAK, an RPR and

19              Notary Public

20

21     My Commission Expires:

22     February 28, 2029
```

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```
 1            IN THE UNITED STATES DISTRICT COURT

 2        FOR THE NORTHERN DISTRICT OF CALIFORNIA

 3               SAN FRANCISCO DIVISION

 4   RICHARD KADREY, ET AL  )

 5      Plaintiffs          )Case No.: 3:23-cv-03417-VC

 6           Vs.            )

 7   META PLATFORMS, INC.,  )

 8   A Delaware Corporation )

 9      Defendant           )

10             --------------------

11

12           Deposition of LAURA LIPPMAN, was taken

13   via videotape on Tuesday, September 17, 2024,

14   commencing at 9:32 a.m., at Kramon & Graham, P.A.,

15   750 East Pratt Street, Suite 1100, Baltimore,

16   Maryland, before MICHELE D. LAMBIE, Notary Public.

17             --------------------

18

19

20   Reported By:

21           Michele D. Lambie, CSR-RPR
```

Page 1

```
 1              THE WITNESS:  I -- I am not aware.        05:42:20

 2    BY MS. DUNNING:                                     05:42:22

 3        Q.    In what ways, if any, do you contend you  05:42:22

 4    have been injured by Meta's conduct alleged in the  05:42:49

 5    Complaint?                                          05:42:53

 6              MR. SWEATMAN:  Object to form.            05:42:54

 7              THE WITNESS:  At this point, I have no     05:42:55

 8    specific examples of injury to me.                  05:42:59

 9    BY MS. DUNNING:                                     05:43:03

10        Q.    Is it -- I'll represent to you that      05:43:03

11    you -- well, let me just ask the question.          05:43:18

12              True or false, you are personally unaware 05:43:22

13    of any instance in which a person read text         05:43:29

14    generated by any of Meta's LLMs as a substitute for 05:43:34

15    reading one of your six at-issue books?             05:43:42

16              MR. SWEATMAN:  Object to form.            05:43:48

17              THE WITNESS:  At this moment in time,     05:43:49

18    that is true.                                       05:43:51

19    BY MS. DUNNING:                                     05:43:52

20        Q.    True or false, you are personally unaware 05:43:52

21    of any documentary evidence demonstrating that any  05:43:59
```

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```
 1   person has read text generated by a Meta LLM as a    05:44:04

 2   substitute for reading one of your six at-issue       05:44:10

 3   books?                                                05:44:14

 4           MR. SWEATMAN:  Object to form.                05:44:15

 5           THE WITNESS:  At this point in time, that     05:44:15

 6   is true.                                              05:44:17

 7   BY MS. DUNNING:                                       05:44:18

 8       Q.   True or false, you are personally unaware    05:44:18

 9   of any text generated by any Meta LLM that contains   05:44:28

10   text from one of your six books?                      05:44:37

11           MR. SWEATMAN:  Object to form.                05:44:39

12           THE WITNESS:  At this point in time, that     05:44:40

13   is true.                                              05:44:43

14   BY MS. DUNNING:                                       05:44:44

15       Q.   True or false, at this time, you are         05:44:44

16   personally unaware of any text generated by any       05:44:52

17   Meta LLM that infringes the copyright in any of       05:44:57

18   your six at-issue books?                              05:45:01

19           MR. SWEATMAN:  Object to form.                05:45:03

20           THE WITNESS:  Could you repeat that one?      05:45:05

21   BY MS. DUNNING:                                       05:45:09
```

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```
 1   State of Maryland

 2   County of Baltimore, to wit:

 3          I, Michele D. Lambie, a Notary Public of

 4   the State of Maryland, County of Baltimore, do

 5   hereby certify that the within-named witness

 6   personally appeared before me at the time and place

 7   herein set out, and after having been duly sworn by

 8   me, according to law, was examined by counsel.

 9          I further certify that the examination

10   was recorded stenographically by me and this

11   transcript is a true record of the proceedings.

12          I further certify that I am not of

13   counsel to any of the parties, nor related to any

14   of the parties, nor in any way interested in the

15   outcome of this action.

16          As witness my hand and notarial seal this

17   2nd day of October 2024.

18

19
        Michele D Lambie

20

21
```

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1   UNITED STATES DISTRICT COURT

2   NORTHERN DISTRICT OF CALIFORNIA

3   SAN FRANCISCO DIVISION

4

5   RICHARD KADREY, et al.,   )

6   Individual and   )

7   Representative Plaintiffs,)

8   vs.   )Case No.

9   META PLATFORMS, INC., a   )3:23-cv-03417-VC

10   Delaware corporation,   )

11   Defendant.   )

12   _____)

13

14   C O N F I D E N T I A L

15

16   VIDEOTAPED DEPOSITION OF SARAH SILVERMAN

17   Los Angeles, California

18   Thursday, October 10, 2024

19   VOLUME I

20

21   Stenographically Reported by:

22   RENEE D. ZEPEZAUER, RPR, CRR, CSR No. 6275

23   JOB No. 6944934

24

25   PAGES 1 - 330

                                        Page 1

1   your assertion that your book was used to train either   02:31:56

2   ChatGPT or LLaMA?

3   MR. ZIRPOLI: Object to the form of the

4   question.

5   THE WITNESS: It's just a fact.   02:32:08

6   BY MS. DUNNING:

7   Q   I'm just asking why you -- what the evidence is

8   for that assertion.

9   A   This is conversations I had with my counsel as

10   well as I looked online.   02:32:21

11   Q   On THE ATLANTIC link?

12   A   Yes. I have no reason to believe it isn't

13   true. And certainly if it wasn't true, we wouldn't be

14   here.

15   Q   Are you aware of any instance in which a large   02:32:36

16   language model developed by Meta was used to generate

17   content that was substantially similar to your book?

18   A   I'm not aware.

19   Q   Are you aware of any time that a Meta large

20   language model was used to generate content that has any   02:32:56

21   language from your book?

22   MR. ZIRPOLI: Object to the form of the

23   question.

24   THE WITNESS: I mean, you could -- I'm sure I

25   could paste together words from my book. No. I'm not   02:33:07

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1	aware.	02:33:12
2	BY MS. DUNNING:	
3	Q Are you aware of any time that any large	
4	language model developed by Meta was used to generate	
5	content that you think sounds like your voice?	02:33:22
6	MR. ZIRPOLI: Object to the form of the	
7	question.	
8	THE WITNESS: I'd offer that as beyond	
9	irrelevant because the issue is that they stole. I	
10	don't care what they do or don't do with the material.	02:33:36
11	They stole it. And they stole it for a reason.	
12	BY MS. DUNNING:	
13	Q So the answer is you are not aware of any time	
14	a Meta large language model has been used to generate	
15	content that you believe is in your voice?	02:33:52
16	MR. ZIRPOLI: Object to the form of the	
17	question.	
18	THE WITNESS: I thought you were reiterating my	
19	answer.	
20	BY MS. DUNNING:	02:34:05
21	Q No. I'm just trying to get a clean question	
22	and answer.	
23	Are you aware of any instance in which a Meta	
24	large language model was used to create content that you	
25	consider to be in your voice?	02:34:13

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1   MR. ZIRPOLI: Object to the question. It's   02:34:14

2   been asked and answered twice now.

3   THE WITNESS: Not aware. Never looked.

4   BY MS. DUNNING:

5   Q   Are there -- are you aware of any instance in   02:34:20

6   which a Meta large language model has been used to

7   generate a summary of your book?

8   A   That was something that -- that I went over

9   with counsel.

10   Q   Okay. I don't want to -- I do not want to hear   02:34:41

11   about any conversations you had with counsel. Have you

12   seen any output from a Meta large language model

13   constituting a summary of your book?

14   MR. ZIRPOLI: Aside from what you may or may

15   not have done with your counsel.   02:34:59

16   THE WITNESS: Then no.

17   BY MS. DUNNING:

18   Q   If a document exists, I'm allowed to ask about

19   it, irrespective of any -- I'm not asking about the

20   substance of communications, but if there is a document 02:35:10

21   that exists that constitutes a summary of your book that

22   you have seen, I'm entitled to a yes-or-no answer.

23   A   I have not seen that, no.

24   Q   How did you meet Matthew Butterick?

25   A   High school.   02:35:46

                                                    Page 170

CONFIDENTIAL

```
 1            MR. ZIRPOLI:  Object to the form of the        03:21:09

 2    question.

 3            THE WITNESS:  I would venture to guess that I

 4    lost the licensing opportunity for training various AIs.

 5    BY MS. DUNNING:                                         03:21:21

 6       Q    Okay.  Apart from licensing for training AIs

 7    which I understand is part of your assertion, I want to

 8    put that aside.  I'm trying to figure out if there's

 9    anything else.

10       A    There's no way to compute that in terms of     03:21:34

11    someone not buying a book.

12       Q    Are you aware of any time somebody decided not

13    to buy your book because they could generate a summary

14    on a Meta AI tool?

15       A    There's no way to calculate that.  I'd have to 03:21:52

16    be in someone's head.

17       Q    Are you aware of any evidence to suggest that

18    ever happened?

19       A    No, I'm not.

20       Q    Are you aware of any instance in which somebody 03:22:01

21    wanted to pay to license use of your work but chose not

22    to because of something Meta did?

23       A    Meta itself and ChatGPT.

24       Q    Apart from Meta and OpenAI, are you aware of

25    any instance in which another person decided not to seek 03:22:24
```

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CONFIDENTIAL

1	BY MS. DUNNING:	05:59:48
2	Q Do you have any evidence that any seller of	
3	your book such as bookstores or online book sellers or	
4	wholesalers or resellers have sold fewer of your books	
5	because of anything Meta did?	06:00:01
6	MR. ZIRPOLI: Object to the form. Asked and	
7	answered five times now.	
8	THE WITNESS: I would have no idea, once again.	
9	BY MS. DUNNING:	
10	Q Okay.	06:00:08
11	A Where is the big stuff? I always figured that	
12	comes at the end like Columbo.	
13	MR. ZIRPOLI: How much time do we have left?	
14	THE VIDEOGRAPHER: On the record total, it's	
15	six hours and 25 minutes.	06:00:20
16	MR. ZIRPOLI: Okay.	
17	BY MS. DUNNING:	
18	Q How do you claim -- let me come back to that.	
19	Are you aware of any instance in which any	
20	person has read text generated by any of Meta's AI	06:00:32
21	models as a substitute for reading your book?	
22	MR. ZIRPOLI: Objection.	
23	THE WITNESS: There's no possible way I could	
24	know that.	
25	//	

```
 1    BY MS. DUNNING:                                      06:00:44

 2         Q    You have no evidence of that happening?

 3              MR. ZIRPOLI:  Objection.  Asked and answered.

 4              THE WITNESS:  The onus is not on me.

 5    BY MS. DUNNING:                                      06:00:52

 6         Q    Are you aware of any content that has ever come

 7    out of a Meta AI model that you contend infringes your

 8    book?

 9              MR. ZIRPOLI:  Objection.  Asked and answered.

10              THE WITNESS:  No way I could know that.      06:01:03

11    BY MS. DUNNING:

12         Q    Your book THE BEDWETTER had already been

13    published at the time you allege Meta used it; correct?

14         A    Yeah.  When this was published --

15              MR. ZIRPOLI:  Sarah, let's wait for a question  06:01:28

16    to be asked.

17    BY MS. DUNNING:

18         Q    None of your claims in this case are based on

19    works that are unpublished; right?

20         A    Right.                                       06:01:36

21         Q    And none of your claims in this case are based

22    on anything you've ever written apart from THE BEDWETTER

23    book; right?

24         A    Yeah.  Correct.

25         Q    You said -- I don't remember what your exact   06:01:56
```

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CONFIDENTIAL

```
 1                    I, the undersigned, a Certified Shorthand

 2     Reporter of the State of California, do hereby certify:

 3                    That the foregoing proceedings were taken

 4     before me at the time and place herein set forth; that any

 5     witnesses in the foregoing proceedings, prior to

 6     testifying, were administered an oath; that a record of

 7     the proceedings was made by me using machine shorthand

 8     which was thereafter transcribed under my direction; that

 9     the foregoing transcript is a true record of the testimony

10     given; that if the foregoing proceedings were reported

11     stenographically remote from the witness and parties, the

12     transcript of the proceedings reflects the record that I

13     could hear and understand to the best of my ability.

14                    Further, that if the foregoing pertains to

15     the original transcript of a deposition in a Federal

16     Case, before completion of the proceedings, review of

17     the transcript [ X ] was [  ] was not requested.

18                    I further certify I am neither financially

19     interested in the action nor a relative or employee of any

20     attorney or any party to this action.

21                    IN WITNESS WHEREOF, I have this date

22     subscribed my name this 24th day of October, 2024.

23

24                    RENEE DiMENNO ZEPEZAUER

25                    CSR #6275, RPR, CRR
```

Page 326

1   IN THE UNITED STATES DISTRICT COURT

2   FOR THE NORTHERN DISTRICT OF CALIFORNIA

3   SAN FRANCISCO DIVISION

4   - - - - - - - - - - - - - - -+

5   RICHARD KADREY, et al, |

6   Plaintiffs, | Case Number:

7   vs. | 3:23-cv-03417-VC

8   META PLATFORMS, INC., a |

9   Delaware corporation, |

10   Defendant. |

11   - - - - - - - - - - - - - - -+

12

13

14   Confidential Videotaped Deposition of

15   RACHEL LOUISE SNYDER

16   Wednesday, December 11, 2024

17   at 9:42 a.m.

18   in Washington, D.C.

19

20

21   Reported by:

22   Laurie Donovan, RPR, CRR, CLR

23   JOB 7030288

24

25   PAGES 1 - 285

                                          Page 1

1   could they agree?

2   Q   Are you aware of any writers who have

3   offered to allow their works to be trained by AI for a

4   fee?

5   A   No.

6   Q   Are you aware of any writers who have agreed

7   to allow their works to be trained by AI for free?

8   A   No.

9   Q   And you're not aware of any instance where

10   someone has read text generated by one of Meta's AI

11   models as a substitute for reading your book, No

12   Visible Bruises, correct?

13   A   No.   That's correct.

14   Q   And you're not personally aware of any text

15   generated by any Meta AI model that copies or

16   reproduces content from No Visible Bruises, correct?

17   A   Correct.

18   Q   And you testified you have never used,

19   yourself, any Meta AI model, right?

20   A   No, not that I'm aware of.

21   Q   Each -- well, let me strike that.

22   At the time you assert Meta used your book,

23   No Visible Bruises, to train its AI models, that book

24   had already been published, right?
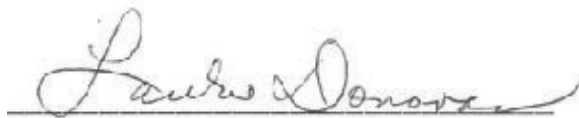
25   A   Correct.

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CONFIDENTIAL

1   CERTIFICATE OF SHORTHAND REPORTER -- NOTARY PUBLIC

2

3   I, Laurie Donovan, Registered Professional

4   Reporter, Certified Realtime Reporter, and notary

5   public for the District of Columbia, the officer

6   before whom the foregoing deposition was taken,

7   do hereby certify that the foregoing transcript

8   is a true and correct record of the testimony

9   given; that said testimony was taken by me

10   stenographically and thereafter reduced to

11   typewriting under my supervision; and that I am

12   neither counsel for, related to, nor employed by

13   any of the parties to this case and have no

14   interest, financial or otherwise, in its outcome.

15   IN WITNESS WHEREOF, I have hereunto set my

16   hand and affixed my notarial seal this 24th day

17   of December 2024.

18

19   My commission expires: July 14, 2027

20

21

22   _____

23   LAURIE DONOVAN

24   NOTARY PUBLIC IN AND FOR

25   THE DISTRICT OF COLUMBIA

Page 281

1   UNITED STATES DISTRICT COURT
              NORTHERN DISTRICT OF CALIFORNIA
2   SAN FRANCISCO DIVISION

3

4   RICHARD KADREY, et al.,   )
)
5   Plaintiffs,   )
)
6   v.   )
)
7   META PLATFORMS, INC., a Delaware   )
     corporation,   )
8   )
            Defendant.   )
9   _____)

10

11   CONFIDENTIAL ATTORNEYS' EYES ONLY

12

13   Videotaped Deposition of LYSA TERKEURST

14   Charlotte, North Carolina

15   September 23, 2024

16   9:51 a.m. Eastern

17

18

19

20

21

22

23   Reported by: Karen K. Kidwell, RMR, CRR

24   Job No. 6922752

25

                                           Page 1

1	you were three works, and there were actually	03:41:20
2	millions of other works also used to train it?	03:41:23
3	MR. ULWICK: Object to form. Foundation.	03:41:26
4	THE WITNESS: I think any author that had	03:41:31
5	their copyright infringed upon, I think we	03:41:36
6	should all be entitled to compensation.	03:41:40
7	BY MS. HARTNETT:	
8	Q. Are you alleging that you've lost any	03:41:46
9	money that you otherwise would have made, other than	03:41:48
10	potentially a licensing fee, by the actions that	03:41:51
11	you're complaining about in this case by Meta?	03:41:55
12	MR. ULWICK: Object to form.	03:41:57
13	THE WITNESS: I believe that I have been.	03:41:58
14	And I think that's a very complicated answer,	03:42:16
15	because -- how would I know how -- all the many	03:42:21
16	ways that it's affected these books?	03:42:30
17	BY MS. HARTNETT:	
18	Q. Well, have you heard of anybody saying	03:42:38
19	that they didn't buy your book because they were able	03:42:40
20	to somehow get the information they needed about it	03:42:43
21	from LLaMA?	03:42:45
22	MR. ULWICK: Objection.	03:42:47
23	THE WITNESS: No one's ever said -- I'm	03:42:47
24	sorry.	03:42:48
25	MR. ULWICK: Object to form.	03:42:50

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CONFIDENTIAL ATTORNEYS' EYES ONLY

```
 1            THE WITNESS:  No one's ever said that to      03:42:50

 2       me.  But I will tell you that my passion for       03:42:52

 3       helping train other authors in how to write        03:42:58

 4       books, I believe that's greatly harmed by AI.      03:43:02

 5   BY MS. HARTNETT:

 6          Q.   Do you believe you've lost money in this    03:43:15

 7   in some way by being kept from training other authors   03:43:19

 8   due to Meta's AI?                                       03:43:27

 9          A.   Yes.                                        03:43:28

10          Q.   How much?                                   03:43:29

11          A.   I would love the opportunity to figure     03:43:31

12   that out.                                               03:43:33

13          Q.   How would you figure that out?             03:43:36

14          A.   Great question.  I would have to get       03:43:37

15   experts to help me figure that out.                    03:43:39

16          Q.   And so you believe you'll -- if you had    03:43:44

17   the right experts, you would be able to calculate      03:43:46

18   some harm to you from people that didn't seek out      03:43:49

19   your services to help them write because they were     03:43:52

20   deterred from writing by AI?                           03:43:55

21            MR. ULWICK:  Object to form.                   03:43:59

22            THE WITNESS:  Yes.                             03:44:03

23   BY MS. HARTNETT:

24          Q.   And do you think also you probably were    03:44:12

25   harmed in some way by people that -- from being able   03:44:16
```

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CONFIDENTIAL ATTORNEYS' EYES ONLY

1	to recruit people to teach how to write by the fact	03:44:24
2	that people make study guides off of your materials,	03:44:27
3	without permission, and put them up on Amazon?	03:44:30
4	MR. ULWICK: Object to form.	03:44:33
5	THE WITNESS: I'm sorry. Repeat that	03:44:34
6	question.	03:44:35
7	BY MS. HARTNETT:	
8	Q. Well, you mentioned before that some of	03:44:36
9	your -- you have a recurring issue with your	03:44:38
10	materials being used as an inspiration and having	03:44:39
11	your name put on products you haven't authorized and	03:44:43
12	putting them up on Amazon. Do you recall that?	03:44:47
13	A. Yes.	03:44:50
14	Q. Do you believe you've been likewise harmed	03:44:51
15	in the sense that some aspiring writers who would see	03:44:54
16	that kind of behavior wouldn't want to write if they	03:44:58
17	had to face that kind of piracy?	03:45:01
18	MR. ULWICK: Objection.	03:45:05
19	THE WITNESS: I don't know. I would need	03:45:10
20	to think -- I haven't thought of that before, so	03:45:11
21	I would need to think through that.	03:45:13
22	I think piracy in any form is wrong.	03:45:15
23	BY MS. HARTNETT:	
24	Q. I know I asked you before about LLaMA in	03:45:27
25	particular, but I want to ask more generally: Are	03:45:29

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1	you aware of anyone having not purchased some work of	03:45:32
2	yours -- any work; not just the three in this case --	03:45:36
3	because of being able to get the information about it	03:45:39
4	on AI instead?	03:45:41
5	A. No one has communicated that to me	03:45:45
6	specifically, but -- and yes, I know we're focused on	03:45:47
7	the three works here. But as I look at the overall	03:45:54
8	issue with AI generating books, I think it is a great	03:46:02
9	threat to human authors. Because if publishers can	03:46:14
10	get books generated by AI, and if that were to become	03:46:25
11	the norm, then what would motivate them to continue	03:46:31
12	to let the human voice be heard? What -- what would	03:46:37
13	motivate them?	03:46:42
14	And I think it is an extreme threat to not	03:46:44
15	just my future but every aspiring author. And also,	03:46:56
16	when you talk about education, I think it's the human	03:47:04
17	voice that needs to be heard. I think it's the human	03:47:12
18	voice that can properly educate. I don't think you	03:47:16
19	should replace the human voice with a computer.	03:47:21
20	Q. Have you read any text that's been	03:47:28
21	generated by an AI tool, ever?	03:47:30
22	A. I don't know.	03:47:33
23	Q. Did you talk to any of your friends or	03:47:36
24	family about joining this lawsuit before you did it?	03:47:39
25	MR. ULWICK: Object to form.	03:47:43

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1   STATE OF NORTH CAROLINA

     COUNTY OF MECKLENBURG

2

3   I, Karen K. Kidwell, RMR, CRR, in and for

4   the State of North Carolina, do hereby certify that

5   there came before me on Monday, September 23, 2024, the

6   person hereinbefore named, who was by me duly sworn to

7   testify to the truth and nothing but the truth of her

8   knowledge concerning the matters in controversy in this

9   cause; that the witness was thereupon examined under

10   oath, the examination was stenographically reported and

11   reduced to typewriting under my direction, and the

12   deposition is a true record of the testimony given by

13   the witness.

14   I further certify that I am neither attorney

15   or counsel for, nor related to or employed by, any

16   attorney or counsel employed by the parties hereto or

17   financially interested in the action.

18   This the 24th day of September, 2024.

19

20   *Karen K. Kidwell*

21

                 Karen K. Kidwell, RMR, CRR

22   Notary Public #19971050142

23

24

25

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 1         UNITED STATES DISTRICT COURT

 2        NORTHERN DISTRICT OF CALIFORNIA

 3           SAN FRANCISCO DIVISION

 4

 5    --------------------------------x

 6    RICHARD KADREY, et al.,

 7    Individual and Representative,

 8                    Plaintiffs,    Case No.

 9              v.                   3:23-cv-03417-VC

10    META PLATFORMS, INC., a

11    Delaware Corporation;

12                    Defendant.

13    --------------------------------x

14

15

16       VIDEOTAPED DEPOSITION of JACQUELINE A.

17       WOODSON, held at 55 Hudson Yards, New

18       York, New York, commencing at 9:39 a.m.,

19       September 30, 2024, before Erica Ruggieri,

20       a Certified Shorthand Reporter and Notary

21       Public of the State of New York.

22

23

24    JOB No. 6931571

25    PAGES 1 - 412
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Page 1

1   WOODSON

2   write in the voice of Jacqueline

3   Woodson.

4   Q.   Okay.   Are you aware of any

5   time that a Meta LLM has been used

6   to generate a work in the voice of

7   Jacqueline Woodson?

8   MR. SWEATMAN: Objection to

9   form.

10   A.   I am not aware of it, no.

11   But I wouldn't know because I'm not

12   searching for it.

13   Q.   Your Instagram post in

14   Exhibit 318 says: "Years and years

15   of writing, revising, reading drafts

16   out loud until my throat was sore

17   and then rewriting some more for my

18   work to be stolen this way, this is

19   a list of my books that were scraped

20   so AI could copy my writing style."

21   Do you see that language?

22   A.   Yes.

23   Q.   And you wrote that?

24   A.   Yes.

25   Q.   When you said "...for my

1   WOODSON

2   A.   It was one -- it wasn't my

3   writing style, it was my voice, you

4   know, the way -- it was Jacqueline

5   Woodson. And it wasn't -- and that

6   wasn't the only reason.

7   Q.   Okay. What were the other

8   reasons?

9   A.   Like I said earlier, to

10   open that list and see all of these

11   writers, not just Jacqueline Woodson

12   but so many other writers, so many

13   other books that were also being

14   used.

15   Q.   Okay. And are you aware of

16   any time that a Meta LLM has been

17   used to generate a work that you

18   would consider to be in your style?

19   MR. SWEATMAN: Objection to

20   form.

21   A.   Not yet.

22   Q.   And are you aware of any

23   instance in which a Meta LLM has

24   been used to generate a work in what

25   you would consider to be the voice

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1   WOODSON

2   of Jacqueline Woodson?

3   MR. SWEATMAN: Objection to

4   form.

5   A.   Not yet.

6   Q.   How do you think an LLM

7   would teach others how to copy your

8   style or voice?

9   MR. SWEATMAN: Objection to

10   form.

11   A.   I don't see it as teaching.

12   I see it as doing it for them so --

13   and that's my concern. If someone

14   can put in write me a book in the

15   style of Jacqueline Woodson and AI

16   shoots one out, that's terrifying to

17   me.

18   Q.   Well, I asked you earlier

19   if you could identify your style.

20   A.   Um-hmm.

21   Q.   And I think said you wrote

22   in lots of different styles.

23   A.   Um-hmm. Um-hmm.

24   MR. SWEATMAN: Object to form.

25   Q.   Is that right?

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1   WOODSON

2   A.   No, not to my knowledge.   I

3   would remember that I guess.

4   Q.   Okay.   Now, you are a

5   plaintiff in this case against Meta,

6   right?

7   A.   Yes.

8   Q.   Are you also plaintiff in a

9   lawsuit against OpenAI?

10   A.   Yes.

11   Q.   Are you aware of any

12   instances in which any AI tool

13   developed by OpenAI has been used to

14   generate content that replicates the

15   text of any of your at issue books?

16   MR. SWEATMAN: Objection to

17   form.

18   A.   Not yet.

19   Q.   Are you aware of any

20   instances in which an AI tool

21   developed by OpenAI has been used to

22   generate content that emulates your

23   voice?

24   MR. SWEATMAN: Objection to

25   form.

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1   WOODSON

2   A.   Not that I know of yet.

3   Q.   Are you aware of any

4   instance in which an AI tool

5   developed by OpenAI has been used to

6   generate content but emulates your

7   writing style?

8   MR. SWEATMAN: Objection to

9   form.

10   A.   Styles.   I don't know.

11   Q.   Are you aware of any

12   instance in which an AI tool

13   developed by any AI developer has

14   been used to generate content that

15   emulates any of your writing styles?

16   MR. SWEATMAN: Objection to

17   form.

18   A.   You know, I just, I don't

19   know what that will look like yet.

20   It's all so new to me.   So it's a

21   hard question to answer because I

22   don't yet know what this looks like.

23   Q.   So as you sit here today,

24   have you seen any example of work

25   that's come out of an AI tool that

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1   WOODSON

2   you think reflects any of your

3   writing styles?

4   MR. SWEATMAN: Objection to

5   form.

6   A.   I haven't been looking for

7   it. I don't even know where to

8   begin looking for it. You know, I

9   don't know even how to use ChatGPT

10   or GPTChat. Like, I don't know.

11   Q.   So I'm sorry, the answer is

12   no, as you sit here today, you

13   haven't seen an example of any work

14   that you think reflects your writing

15   styles that was generated by an AI

16   tool?

17   MR. SWEATMAN: Objection to

18   form.

19   A.   Not that I know of.

20   Q.   And as you sit here today,

21   you are not aware of any example of

22   content generated by an AI tool that

23   you believe reflects the voice of

24   Jacqueline Woodson?

25   MR. SWEATMAN: Objection to

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 1                         WOODSON
 2          Do you see it?
 3          A.    Yes.
 4          Q.    And is that the writer in
 5     residence program you mentioned
 6     earlier?
 7          A.    Yes.  Yes.
 8          Q.    How soon after you received
 9     Ms. Waldman's email on September 15,
10     2023 did you retain -- did you join
11     the lawsuit?
12          A.    I emailed them right away.
13          Q.    Are you aware of any
14     instances where an LLM has generated
15     content that was substantially
16     similar in its text to any of your
17     at issue books?
18          MR. SWEATMAN:  Objection to
19      form.
20          A.    Not yet.
21          Q.    Do you contend that using
22     your books to train in the AI model
23     damages the market for your work?
24          MR. SWEATMAN:  Objection to
25      form.
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1   REPORTER'S CERTIFICATE

2

3   I, ERICA L. RUGGIERI, RPR and a

4   Notary Public within and for the State

5   of New York, do hereby certify:

6   That I reported the proceedings

7   in the within-entitled matter, and

8   that the within transcript is a true

9   record of such proceedings.

10   I further certify that I am not

11   related by blood or marriage, to any

12   of the parties in this matter and

13   that I am in no way interested in the

14   outcome of this matter.

15   IN WITNESS WHEREOF, I have

16   hereunto set my hand this 20th day of

17   October, 2024.

18

19

20

21

22

23   ERICA L. RUGGIERI, RPR, CSR, CLR

24

25

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